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ELIGIBILITY AND PAYMENTS POLICY TRANSMITTAL

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Child Care
EA

X FOOD STAMPS
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NOMADS

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Investigations & Recovery
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TO: ELIGIBILITY AND PAYMENTS STAFF

FROM: Gary Stagliano, Deputy Administrator, Program & Field Operations

SUBJECT: **Clarification on Household Definition for ABAWD Exemption**

Food and Nutrition Services (FNS) Regional Office received written clarification from FNS National Headquarters regarding exemption from ABAWD provisions when a member is living with a child under age 18. The National Office defined household concept as "food stamp household." Parental control is still not a factor when determining ABAWD status as long as the member(s) is in the same food stamp household as the child regardless if the child is eligible for food stamp benefits. Below are some examples:

1. Mom, two children under the age of 18, mother's boyfriend (who is not the father of either child). All members have applied for food stamps together. Both adults are exempt from ABAWD provisions.
2. Mom and Dad, both lawful permanent residents, living with a child under age 18, who is a non-qualified alien. Both parents are exempt from ABAWD provisions.
3. Mom, two children under the age of 18, and one child 20 years old. Both mother and 20 year old are exempt from ABAWD provisions.

Clarification in Eligibility and Payments Manual Section B – 470.1 will be released October 1, 2004. If you have any questions, please contact Leah Lamborn, Food Stamp Program Specialist, at (775) 684-0625.